



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

RECENT CASES.

COMMON CARRIERS.

Damaged Goods—Liability of Carriers.—Morganton Mfg. Co. v. Ohio R. and C. Ry. Co., 28 S. E. Rep. (N. C.) 474. Where defendant's agent received a box of goods which had been shipped over several connecting lines, and marked the bill of lading "O. K.," and the goods are found to be damaged at the end of the line, a rebuttable presumption arises that they were injured after they were thus received. If the contents of the box were unknown to the defendant, liability could have been guarded against by examination or stipulation, and failure to do so was negligence (*Dixon v. Railroad*, 74 N. C. 538).

Telegraph Companies—Rules—Effect on Receiver of Telegram—Presentation of Claim.—Webb v. Western Union Tel. Co., 48 N. E. Rep. (Ill.) 670. A rule of a telegraph company printed upon the back of the telegram, requiring all claims for damages to be presented within sixty days is not binding upon the receiver of telegram in the absence of proof that he assented thereto. And where the action is one sounding in tort for a mistake in transmitting the telegram the mere knowledge of such a rule by the receiver will not affect his right to recover. While there may be a contract relation between the sender of the message and the company which under proper condition will bind the sender, there is no contract relation between the receiver and the company, and his proper remedy for damages for its alteration is an action in tort (*Telegraph Co. v. Fairbanks*, 15 Ill. App. 600). As the receiver's remedy is in tort, the company cannot compel a claim for loss to be made in any particular time. As a general rule an action for tort can be brought within any time allotted by the statute of limitations (Gray on Communication by Telegraph, § 75; *Telegraph Co. v. Underwood*, 37 Neb. 315).

Carriers—Cars for Colored Passengers.—Louisville and N. R. Co. v. Catrow, 43 S. W. Rep. (Ky.) 443. Section 801 of the separate coach laws (Act May 24, 1892) reading, "The provisions of this act shall not apply to * * * officers in charge of prisoners," construed as an exception in favor of the officer and not of the prisoner; and therefore no action will lie against the railroad in favor of an officer, because a colored prisoner whom he was transporting was obliged by the conductor to occupy the coach reserved for colored people, thereby necessitating the officer's presence in that coach in order to guard his prisoner.

Railroads—Transportation Facilities—Discriminations.—Little Rock and Ft. S. Ry. Co. et al. v. Oppenheimer et al., 43 S. W. Rep. (Ark.) 150. In a year when the crop and shipments of cotton were unusually large appellant railway company furnished sufficient cars at certain points on its route where there were competing lines and superior advantages for shipment to carry all cotton offered, but at certain intermediate points failed to furnish cars sufficient to ship cotton as fast as it was offered. Act of March 24, 1887, sec 1, provides that "All individuals, associations and corporations shall have equal rights to have persons and property transported over railroads in this State, and no unjust or undue discrimination shall be made in charges for, or in facili-